

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL ALAN YOCOM,

Plaintiff,

v.

KATHLEEN ALLISON,

Defendant.

No. 2:21-cv-00311-TLN-DB P

FINDINGS & RECOMMENDATIONS

By order filed on September 23, 2021 (ECF No. 29), plaintiff was notified his complaint failed to state a claim on which relief may be granted. In the same order, plaintiff was granted 30 days to file an amended complaint, a notice of voluntary dismissal, or a notice of election to stand on the complaint as filed. The 30-day time period granted has expired, and plaintiff has not filed an amended complaint or otherwise responded to the court's order.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice for failure to obey a court order and failure to prosecute. See Local Rule 110; Fed. R. Civ. P. 41(b).

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within 30 days after being served with these findings and recommendations, plaintiff may file written objections with the court and serve a copy on all parties. Such a document should be captioned "Objections to

Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court's order.

Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: January 11, 2022

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DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE